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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/727,908

11/30/2000

Scott Johnson

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04/28/2006

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EXAMINER

SHERKAT, AREZOO

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/727,908	JOHNSON ET AL.	
	Examiner	Art Unit	
	Arezo Sherkat	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Amendment***

1. This office action is responsive to Applicant's amendment received on 2/22/2006. Claims 1-20 are pending, claims 5-7, 9, 12, 13, 16, 18 and 19 have been amended. Claims 5-7, 9, 12, 13 and 19 are amended only to improve form. Claim 16 has been amended to broaden the scope of the claim. Claim 18 has been amended to correct an error in the wording of the claim.

***Response to Arguments***

2. Applicant's arguments filed 2/22/2006 have been fully considered but they are not persuasive.

3. Regarding claims 1, 9, and 15, Applicant argues that MAS of Mehta corresponds to a proxy server and is silent regarding loading a software package multiple hidden web clipping applications to a PID. However, the electronic device of the instant application is separate from the proxy server and has installed software therein for accessing the proxy server (Remarks pages 8-10).

4. Examiner responds that Mehta discloses, "The subscriber device 101 relies on a client-side application management utility (e.g., a Handset Administration Console or a browser) to request and download applications. FIG. 2 is an example block diagram of a Handset Administration Console that operates with a Mobile Application System. The Handset Administration Console handles notification, installation, and uninstallation of applications on the subscriber's wireless device. The subscriber device 201 provides the subscriber with a menu of functionality available for the device.

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The subscriber may select from the menu routines that, for example, manage applications already installed on the device and present new applications that can be downloaded. For example, the routines may allow the subscriber to obtain version information for installed applications, to download updates for those applications when they become available, and to browse for new applications to be downloaded. Menu 202 is an example menu showing a list of new applications 203 that can be potentially downloaded to the subscriber device 201" (page 45, par. 0062-0063 and page 13, par. 0111).

5. Examiner respectfully maintains the 35 U.S.C. 102(e) rejection communicated on Nov. 28, 2005 as follows:

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mehta et al., (U.S. Publication No. 2002/0131404 and Mehta hereinafter).

Regarding claims 1 and 15, Mehta discloses an electronic device having installed software therein for accessing a proxy server, a method comprising the steps of:

a) preventing a user from accessing web clipping applications that are installed on said electronic device and located within said installed software (Page 2, Par. 0013),  
b) said user registering said electronic device with said proxy server using a registration application of said installed software (Page 17, Par. 0139), and c) upon authorized registration of said electronic device with said proxy server, allowing said web clipping applications to be made available for use by said user and otherwise preventing access of said web clipping applications by said user (Pages 11-12, Par. 0098-0103 and Page 13, Par. 0113).

Regarding claim 9, Mehta discloses a method for secure access of a proxy server by a portable information device (PID) wherein recurring device identification is eliminated, comprising the steps of:

a) loading a software package onto said PID (i.e., subscriber device 101) wherein said software package comprises a registration application (i.e., client application 102) and multiple hidden web clipping applications (i.e., client-side application management utility (e.g., a Handset Administration Console or a browser))(page 2, Par. 0013 and pages 4-5, par. 0060-0063);

b) registering said PID by the implementation of said registration application by a user (Page 17, Par. 0139);

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c) upon said registering said PID, commanding said PID to reveal said web clipping applications, d) initiating a browser command for clipped data from said PID, wherein said initiating is a result of an activation by said user of at least one of said revealed web clipping applications, and e) transmitting said clipped data to said PID (Pages 11-12, Par. 0098-0103 and Page 13, Par. 0113).

Regarding claims 2 and 16, Mehta discloses wherein said electronic device is a personal information device (PID) comprising handheld organizers, cellular phones, laptop computers, and pagers (Page 1, Par. 0005 and Page 4, Par. 0062).

Regarding claims 3 and 17, Mehta discloses wherein said step a) of preventing a user from accessing web clipping applications is comprised of:

preventing a user from accessing web clipping applications that are installed on said electronic device and located within said installed software by hiding said web clipping applications within said installed software until such time that said device is registered with said proxy server (Page 2, Par. 0013).

Regarding claims 4 and 18, Mehta discloses wherein said step c) of allowing said web clipping applications to be made available is comprised of:

upon authorized registration of said electronic device with said proxy server, revealing said web clipping applications to said user and otherwise preventing access of said web clipping applications by said user (Pages 11-12, Par. 0098-0103).

Regarding claims 5 and 19, Mehta discloses further comprising the step of:

d) said user implementing at least one of said web clipping applications to access and retrieve information from a web-site via said proxy server (Pages 11-12, Par. 0098-0103).

Regarding claims 6 and 10, Mehta discloses wherein said step d) of said user implementing at least one of said web clipping applications to access and retrieve information is comprised of steps:

d1) said user implementing at least one of said web clipping applications, d2) said at least one web clipping application commanding a browser application within said installed software to seek web-site data associated with said at least one web clipping application, d3) said browser accessing said proxy server and requesting clipped data from said web-site associated with said at least one web clipping application, and d4) said electronic device receiving said clipped data requested by said browser from said proxy server (Pages 5-6, Par. 0064-0067).

Regarding claims 7 and 12-14, Mehta discloses wherein said step d) of said user implementing at least one of said web clipping applications to access and retrieve information is performed without registration of said electronic device during said accessing and without a transfer of user authorization information (Pages 11-12, Par. 0098-0103).

Regarding claims 8, 11, and 20, Mehta discloses wherein said installed software upon said electronic device is a result of a step preceding said step a) of preventing a user from accessing web clipping applications, said step preceding comprising, downloading said software from said proxy server onto said electronic device (Page 13, Par. 0111-0113).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang et al., (U.S. Patent No. 6,947,995).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A.S.



Patent Examiner  
Group 2131  
April 25, 2006

CHRISTOPHER REVAK  
PRIMARY EXAMINER

